

Notice of Allowability

Application No.

10/649,763

Examiner

Susan S. Lee

Applicant(s)

KATO ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to application filed 8/28/03.
2. ☒ The allowed claim(s) is/are 1-23.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

As to claim 1, line 2, change "the toner image" to - - a toner image - - because there is no previous recitation of a toner image.

As to claim 1, line 20, change "the predetermined size" to - - a predetermined size - - because there is no previous recitation of a predetermined size.

As to claim 3, line 5, change "the lapse" to - - a lapse - - because there is no previous recitation of a lapse.

As to claim 9, line 2, change "the toner image" to - - a toner image - - because there is no previous recitation of a toner image.

As to claim 9, line 13, change "the image data" to - - an image data - - because there is no previous recitation of an image data.

As to claim 11, line 5, change "the lapse" to - - a lapse - - because there is no previous recitation of a lapse.

As to claim 14, line 3, delete "a threshold voltage" (second occurrence) because it is redundant.

As to claim 15, line 2, change "the toner image" to - - a toner image - - because there is no previous recitation of a toner image.

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As to claim 15, line 13, change "the image data" to - - an image data - - because there is no previous recitation of an image data.

As to claim 17, line 5, change "the lapse" to - - a lapse - - because there is no previous recitation of a lapse.

As to claim 20, line 3, delete "a threshold voltage" (second occurrence) because it is redundant.

As to claim 21, line 2, change "the toner image" to - - a toner image - - because there is no previous recitation of a toner image.

As to claim 21, line 20, change "the predetermined size" to - - a predetermined size - - because there is no previous recitation of a predetermined size.

As to claim 22, line 2, change "the toner image" to - - a toner image - - because there is no previous recitation of a toner image.

As to claim 22, line 13, change "the image data" to - - an image data - - because there is no previous recitation of an image data.

As to claim 23, line 2, change "the toner image" to - - a toner image - - because there is no previous recitation of a toner image.

As to claim 23, line 13, change "the image data" to - - an image data - - because there is no previous recitation of an image data.

The following changes to the drawings have been approved by the examiner:

As to Fig. 1, the boxes labeled as 24, 23, 19, 31, and 18 should be labeled inside the box as - - TRIAC - -, - - Fixing Temp Controller - - , - - Transfer Controller - - , - - Fixing Current Temperature - -, and - - DC High Voltage Generator - - respectively.

As to Fig. 2, the boxes labeled as 19 and 18 should be labeled inside the box as - - Transfer Controller - - , and - - DC High Voltage Generator - - respectively.

In order to avoid abandonment of the application, applicant must make these above drawing changes.

The following is an examiner's statement of reasons for allowance:

The primary reason for allowance of claims 1-8 is the inclusion of when a predetermined transfer voltage is lower than a threshold voltage and the size of the recording material is larger than a predetermined size, then the fixing section fixes the toner image on the recording material at a temperature that is lower than a predetermined temperature. This is found in all of claims 1-8, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claims 9-14 is the inclusion of when a predetermined transfer voltage is lower than a threshold voltage based on the size of the recording material and a print rate of the image data received by a signal receiver, the fixing section fixes the toner image on the recording material at a temperature that is

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lower than a predetermined temperature. This is found in all of claims 9-14, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claims 15-20 is the inclusion of when a predetermined transfer voltage is larger than a threshold voltage based on the size of the recording material and a print rate of the image data received by a signal receiver, the fixing section fixes the toner image on the recording material at a temperature that is larger than a predetermined temperature. This is found in all of claims 15-20, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claim 21 is the inclusion of when a transfer current is larger than a threshold current and the size of the recording material is larger than a predetermined size, the fixing section fixes the toner image on the recording material at a temperature that is lower than a predetermined temperature. This is found in all of claim 21, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claim 22 is the inclusion of when a transfer current is larger than a threshold current based on the size of the recording material and a print rate of the image data received by a signal receiver, the fixing section fixes the toner image on the recording material at a temperature that is lower than a predetermined temperature. This is found in all of claim 22, but not disclosed nor suggested by the prior art of record.

The primary reason for allowance of claim 23 is the inclusion of when a transfer current is lower than a threshold current based on the size of the recording material and a print rate of the image data received by a signal receiver, the fixing section fixes the

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toner image on the recording material at a temperature that is larger than a predetermined temperature. This is found in all of claim 23, but not disclosed nor suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Sato, Yamanaka (981), Nagaoka, and Yamanaka (556) disclose art in control of transfer biases based on a condition. Mashiba and Kinoshita et al. disclose art in control of fixing temperatures based on a condition. Miyagawa discloses art in setting fixing temperatures, transfer voltage and curling correction appropriately for the paper to be used.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan S. Lee whose telephone number is 571-272-2137. The examiner can normally be reached on Mon. - Fri., 10:30-8:00, Second Monday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Art Grimley can be reached on 571-272-2136 or 571-272-2800 (Ext. 52).

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The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Susan S. Lee
Primary Examiner
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